

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

A.P., a minor, by and through her guardian,)	
CARLOS PENA, and CARLOS PENA,)	
RANDOLPH FRESHOUR, and VINCENZO)	
ALLAN, each individually and on behalf of)	
similarly situated individuals,)	Case No. 1:23-cv-02667
)	
Plaintiffs,)	Honorable Nancy L. Maldonado
)	
v.)	
)	
CERENCE INC., a Delaware corporation,)	
)	
Defendant.)	

JOINT MOTION REQUESTING ORDER FOR SPECIFIC RELIEF

Plaintiffs A.P., a minor, by and through her guardian, Carlos Pena, Carlos Pena, Randolph Freshour, and Vincenzo Allan and Defendant Cerence Inc. (“Cerence”), jointly move this Court for an Order for specific relief as to Cerence’s pending Motion to Dismiss Second Amended Complaint (Dkt. Nos. 28, 29, the “Motion to Dismiss”). In support of this request, the Parties state as follows:

1. Cerence filed its Motion to Dismiss on August 17, 2023.
2. Briefing is completed on the Motion to Dismiss, but the Court has not to date ruled.
3. Counsel for the Parties have recently conferred regarding the Motion to Dismiss as well as matters pending in the state court companion case and have reached agreement as to certain matters. Accordingly, by agreement, the Parties jointly and respectfully request the entry of an order providing the following:
 - a. Cerence is granted leave to withdraw its Motion to Dismiss;

- b. Within seven (7) days after the entry of the Parties' requested order deeming the Motion to Dismiss withdrawn, Plaintiffs are granted leave to file a third amended complaint making certain modifications agreed to by the Parties;
 - c. Cerence shall file an answer to Plaintiffs' forthcoming third amended complaint within twenty-eight (28) days after the filing of the third amended complaint; and
 - d. The Parties shall meet and confer about a discovery plan and file a joint status report and proposed discovery schedule within seven (7) days of the filing of Cerence's answer to the third amended complaint.
4. The Parties' joint request is made in good faith and not for purposes of delay.

WHEREFORE, Plaintiffs and Defendant jointly and respectfully request that the Court enter an order containing the specific relief as outlined in paragraph 3 above.

Dated: June 7, 2024

Respectfully submitted,

A.P., a minor, by and through her guardian,
CARLOS PENA, CARLOS PENA, RANDOLPH
FRESHOUR, and VINCENZO ALLAN

CERENCE INC.

/s/ Paul T. Geske

/s/ Matthew C. Wolfe

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Attorneys for Plaintiffs

Attorneys for Defendant Cerence Inc.

CERTIFICATE OF SERVICE

I, Matthew C. Wolfe, an attorney, hereby certify that on **June 7, 2024**, I caused a true and complete copy of the foregoing **JOINT MOTION REQUESTING ORDER FOR SPECIFIC RELIEF** to be electronically filed with the Court via the Court's ECF system which sends notification and a copy of same to all counsel of record.

/s/ Matthew C. Wolfe